

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert Bucki et al.
Serial No.: 10/574,034
Confirmation No.: 9154
Filed: May 2, 2007
For: METHODS OF USING GELSOLIN TO TREAT OR PREVENT
BACTERIAL SEPSIS (BUCKI)
Examiner: S. J. Devi
Art Unit: 1645

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: June 7, 2010

Signature:  

RESPONSE TO TELEPHONE INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On May 3, 2010, Examiner Devi contacted Applicant's representative to discuss the status identifier used for the non-elected claims in the amendment filed on February 24, 2010. The non-elected claims were identified as "Previously presented" and the Examiner requested that the identifier be changed to "Withdrawn". Applicant's representative referred the Examiner to MPEP § 821 and 37 CFR § 1.142 which state that non-elected claims are withdrawn by the Examiner. The Examiner referred Applicant's representative to question A2 in the "Questions and Answers on Revised Amendment Practice" posted on the USPTO's website as the basis for changing the status identifier of the non-elected claims to "Withdrawn" by the Applicant before they are withdrawn by the Examiner. The Examiner requested that Applicant's representative file a supplemental amendment to change the claim identifier of the non-elected claims to "Withdrawn".

Without conceding the correctness of the Examiner's position and in the interest of expediting prosecution, Applicant's representative filed a supplemental amendment on May 5, 2010 to comply with the Examiner's request.

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Docket No.: B0801.70356US01

Applicant believes no fee is due. However, if a fee is due, please charge our Deposit Account No.: 23/2825 under Docket No. B0801.70356US01 from which the undersigned is authorized to draw.

Dated: June 7, 2010

Respectfully submitted,

By 

Roque El-Hayek

Registration No.: 55,151

WOLF, GREENFIELD & SACKS, P.C.

600 Atlantic Avenue

Boston, Massachusetts 02210-2206

617.646.8000